

REMARKS/ARGUMENTS

The claims have been amended as set forth above. No new matter has been added. Applicants respectfully request reconsideration.

I. Examiner Interview Dated September 18, 2007

An interview was held on September 18, 2007. An agreement as to allowability was not reached. Applicants believe that an agreement was reached that the current changes overcome the cited references.

II. Rejection of the Claims

Claims 1-16, 18-42, and 44-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Publication No. 2004/0021701 published to Iwema and assigned to Microsoft Corp. in view of Microsoft Word. Claims 17 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Publication No. 2004/0021701 published to Iwema and assigned to Microsoft Corp. in view of U.S. Patent No. 6,683,600 issued to Lui and assigned to Microsoft Corp. Applicants respectfully disagree with the above rejection. Independent claim 1 has been amended to include the following combination of features that is not taught or suggested by the cited references:

selecting an electronic pen for functioning as an electronic highlighter device;

engaging the electronic pen with a computer-displayed object;

in response to engaging the electronic pen with the computer-displayed object, determining the height of the computer-displayed object; and

automatically setting the electronic ink height of the electronic pen to the determined height.

The cited references do not teach or otherwise suggest the above combination of features. Independent claim 20 has been amended to include the following combination of features that is not taught or suggested by the cited references:

selecting an electronic input device for functioning as an electronic highlighter device;

engaging the electronic highlighter device with a computer-displayed object;

in response to engaging the electronic highlighter device with the computer-displayed object, determining the height of the computer-displayed object; and

automatically setting the electronic ink height of the electronic device to the determined height.

The cited references do not teach or otherwise suggest the above combination of features. Independent claim 45 has been amended to include the following combination of features that is not taught or suggested by the cited references:

selecting an electronic pen for functioning as an electronic highlighter device;

engaging the electronic pen with a computer-displayed handwritten text selection;

determining the height of the computer-displayed handwritten text selection, wherein determining the height of the computer-displayed handwritten text selection includes at least one member of a group comprising: determining an average height of the computer-displayed handwritten text selection without considering the length of any ascending or any descending character segments of any characters comprising the computer-displayed handwritten text selection, and determining the height of the computer-displayed handwritten text selection based on the maximum height of the computer-displayed handwritten text selection including the length of any ascending or any descending character segments of any characters comprising the computer-displayed handwritten text selection; and

setting the electronic ink height of the electronic pen to the determined height.

The cited references do not teach or otherwise suggest the above combination of features. With regard to the dependent claims, they include features not taught or suggested by the cited references. Furthermore, those claims ultimately depend from the independent claims set forth above. As such, they should be found allowable for at least those same reasons.

III. Request For Reconsideration

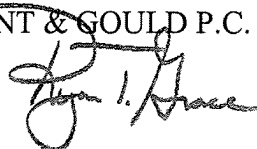
In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application,

App. No. 10/804,616
Amendment Dated: October 12, 2007
Reply to Office Action of July 12, 2007

the Examiner is requested to contact the undersigned attorney for the applicant at the telephone number provided below.

Respectfully submitted,

MERCHANT & GOULD P.C.



Ryan T. Grace
Registration No. 52,956
Direct Dial: 206.342.6258

MERCHANT & GOULD P.C.
P. O. Box 2903
Minneapolis, Minnesota 55402-0903
206.342.6200

